

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

DANIEL RAMOS,

Petitioner,

No. C 05-5181 PJH (PR)

vs.

BEN CURRY, Warden,

Respondent.

**ORDER FOR  
SUPPLEMENTAL  
BRIEFING**

This is a habeas case directed to a denial of parole. It was stayed pending a decision in *Hayward v Marshall*, a Ninth Circuit en banc case in which important issues relating to federal review of parole decisions were raised. That case now has been decided. *Hayward v Marshall*, No. 06-55392, 2010 WL 1664977 (9th Cir. April 22, 2010).

The stay has automatically expired by its terms, so there is no need to lift it. It would, however, assist the court to have briefing from the parties regarding the impact of the *Hayward* en banc decision on this case.

Respondent must send petitioner a copy of the *Hayward* en banc decision within ten days of the date this order is entered. Within thirty days of the date this order is entered, respondent must file and serve a supplemental brief on the impact of *Hayward* on this action. If petitioner desires to respond to the supplemental brief, he shall do so by serving and filing a supplemental brief within thirty days of the date respondent's brief is served upon him.

**IT IS SO ORDERED.**

Dated: May 7, 2010.

  
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PHYLLIS J. HAMILTON  
United States District Judge